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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,066	04/08/2004	Yoshiyuki Tamai	325772035900	7217

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EXAMINER
SAEED, USMAAN

ART UNIT	PAPER NUMBER
2166	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/820,066	TAMAI ET AL.
	Examiner	Art Unit	
	USMAAN SAEED	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>14 January 2008</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-6,14-19,23 and 24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-6,14-19,23 and 24</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>08 April 2004</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

01/14/2008 has been entered.

Priority

2.   Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C.

119(a)-(d) prior to declaration of an interference, a certified English translation of the

foreign application must be submitted in reply to this action. 37 CFR 41.154(b) and

41.202(e).

       Failure to provide a certified translation may result in no benefit being accorded

for the non-English application.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-3, 6, 14-16, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Zimmer et al. (Zimmer** hereinafter) (U.S. PG Pub No. 2004/0255171) in view of **Shigeo Nara. (Nara** hereinafter) (U.S. PG Pub No. 2001/0017620) further in view of **Sasaki et al. (Sasaki** hereinafter) (U.S. Patent No. 7,243,126).

With respect to claim 1, **Zimmer** teaches **an information processing apparatus comprising:**

"a memory unit which stores management table which contains information about states of a plurality of information processing apparatuses, wherein each of said plurality of information processing apparatuses are connected to a network" as the ACPI registers, BIOS, and tables are employed to effectuate power management functions pertaining to the platform hardware 314

(**Zimmer** Paragraph 0030). For components and devices that employ register values to define power states, appropriate registers are updated to reflect the new power states. At the same time, the _PPC state information is updated in the ACPI tables so that OS-controlled devices may update their respective power states (**Zimmer** Paragraph 0059).

 "an updating controller which updates said states of the information processing apparatuses in said management table" as for components and devices that employ register values to define power states, appropriate registers are updated to reflect the new power states. At the same time, the _PPC state information is updated in the ACPI tables so that OS-controlled devices may update their respective power states (**Zimmer** Paragraph 0059).

 Zimmer teaches the elements of claim 1 as note above but does not explicitly discloses **"shared image folders," "a search controller which executed searching of said shared folder," "a comparator which compares folder of the present search with those of the last search"** and **"a display unit which displays updated state of the information processing apparatuses."**

 However, **Nara** discloses **"a search controller which executed searching"** as (**Nara** Figure 3).

 "a comparator which compares present search with those of the last search" as (**Nara** Paragraph 0054-57).

 "a display unit which displays updated state of the information processing apparatuses" as a display unit displays a device map according to information previously stored in a storage unit, when an application for displaying the device map

(status of the device on the network) is activated, and re-displays the device map thereafter according to the latest information obtained by an obtaining unit (**Nara** Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Nara's** teachings would have allowed **Zimmer** to provide an information processing apparatus, a network system, and a device-map display method which correctly and efficiently provide the user with the status information of a device connected to a network to allow the user to improve work efficiency (**Nara** Paragraph 0007).

Zimmer and Nara teaches the elements of claim 1 as noted above but do not teaches **"shared folders storing image data."**

However, **Sasaki** discloses **"shared folders storing image data"** as a plurality of image data storing folders can be registered in each of the personal computers (**Sasaki** Col 12, Lines 65-67). Accordingly, image data read by the digital copying machine 1 can be stored in a private folder other than folders which an operating system on the personal computers publishes on the network as shared folders (**Sasaki** Col 14, Lines 61-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Sasaki's** teachings would have allowed **Zimmer and Nara** to provide image shared folder by providing a push type scanner apparatus capable of transmitting image data to the selected destinations.

Claim 14 is same as claim 1 except that it sets forth the claimed invention as a method and is rejected for the same reasons as applied hereinabove.

With respect to claim 2, **Zimmer and Nara** do not explicitly teach **"a document reader which reads a document and outputs the image data" and "a communication controller which transmits image data to said shared folders."**

However, **Sasaki** discloses **"a document reader which reads a document and outputs the image data" and "a communication controller which transmits image data to said shared folders"** as (**Sasaki** Col 1, Lines 58-67 and Col 14, Lines 61-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Sasaki's** teachings would have allowed **Zimmer and Nara** to provide image shared folder by providing a push type scanner apparatus capable of transmitting image data to the selected destinations.

Claim 15 is same as claim 2 except that it sets forth the claimed invention as a method and is rejected for the same reasons as applied hereinabove.

With respect to claim 3, **Zimmer** teaches **"said states of a plurality of information processing apparatuses in said management table include a power ON/OFF state of each information processing apparatus"** as for components and

devices that employ register values to define power states, appropriate registers are updated to reflect the new power states. At the same time, the _PPC state information is updated in the ACPI tables so that OS-controlled devices may update their respective power states (**Zimmer** Paragraph 0059). An ACPI platform, a current state may comprise a global working state GO, with a number of possible processor power sub-states; a global sleep state, with a number of possible sleep sub-states; or one of several power off states (**Zimmer** Paragraph 0032).

 "said updated controller updates the power ON/OFF state of each information processing apparatus based on the result of the comparison made by said comparator" as for components and devices that employ register values to define power states, appropriate registers are updated to reflect the new power states. At the same time, the _PPC state information is updated in the ACPI tables so that OS-controlled devices may update their respective power states (**Zimmer** Paragraph 0059). An ACPI platform, a current state may comprise a global working state GO, with a number of possible processor power sub-states; a global sleep state, with a number of possible sleep sub-states; or one of several power off states (**Zimmer** Paragraph 0032).

 Zimmer teaches the elements of claim 1 as noted above but does not explicitly disclose **"said display unit displays updated states of information processing apparatuses in a manner according to the updated power ON/OFF state of each information processing apparatus."**

 However **Nara** discloses **"said display unit displays updated states of information processing apparatuses in a manner according to the updated power**

ON/OFF state of each information processing apparatus" as a display unit displays

a device map according to information previously stored in a storage unit, when an

application for displaying the device map (status of the device on the network) is

activated, and re-displays the device map thereafter according to the latest information

obtained by an obtaining unit **(Nara** Abstract).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of the cited references because **Nara's**

teachings would have allowed **Zimmer** to provide an information processing apparatus,

a network system, and a device-map display method which correctly and efficiently

provide the user with the status information of a device connected to a network to allow

the user to improve work efficiency **(Nara** Paragraph 0007).

Claim 16 is same as claim 3 except that it sets forth the claimed invention as a

method and is rejected for the same reasons as applied hereinabove.

With respect to claim 6, **Zimmer** does not explicitly teaches **"a selection

controller which allows selection of a destination to which image data is

transmitted" and "said display unit displays the updated states of the information

processing apparatuses."**

However, **Nara** teaches **"said display unit displays the updated states of the

information processing apparatuses"** as a display unit displays a device map

according to information previously stored in a storage unit, when an application for

displaying the device map (status of the device on the network) is activated, and re-displays the device map thereafter according to the latest information obtained by an obtaining unit (**Nara** Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Nara's** teachings would have allowed **Zimmer** to provide an information processing apparatus, a network system, and a device-map display method which correctly and efficiently provide the user with the status information of a device connected to a network to allow the user to improve work efficiency (**Nara** Paragraph 0007).

Zimmer and Nara teach elements of claim 6 as noted above but do not explicitly teach **"a selection controller which allows selection of a destination to which image data is transmitted."**

However, **Sasaki** discloses **"a selection controller which allows selection of a destination to which image data is transmitted"** as the present invention can transmit image data read by the push type scanner apparatus through a network to a desired personal computer only by operating the push type scanner apparatus without transmitting any operation command from the personal computer. In the push type scanner apparatus, for transmitting image data, a destination address is specified (**Sasaki** Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Sasaki's** teachings would have allowed **Zimmer and Nara** to provide image shared folder by

providing a push type scanner apparatus capable of transmitting image data to the selected destinations.

Claim 19 is same as claim 6 except that it sets forth the claimed invention as a method and is rejected for the same reasons as applied hereinabove.

4.   Claims 4-5, 17-18, and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Zimmer et al.** (U.S. PG Pub No. 2004/0255171) in view of **Shigeo Nara.** (U.S. PG Pub No. 2001/0017620) further in view of **Sasaki et al.** (U.S. Patent No. 7,243,126) as applied to claims 1-3, 6, 14-16, and 19 above, further in view of **Koichi Tamura (Tamura** hereinafter) (Patent No. 7,027,427).

With respect to claims 4, **Zimmer, Nara and Sasaki** teach the elements of claim 4 but do not explicitly disclose, **"wherein said search controller executes searching at intervals of first predetermined time."**

However, **Tamura** discloses **"wherein said search controller executes searching at intervals of first predetermined time"** as a cell search method in a CDMA system comprises the steps of starting a timer on ending communication, of determining, by watching a timer value of the timer on starting the next communication, whether of not the timer value is not less than a communication stop time interval threshold value, and of carrying out a cell search processing using a cell search result

on previous communication when the timer value is less than the communication stop

time interval threshold value (**Tamura** Col 4, Lines 12-20).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of the cited references because **Tamura's**

teachings would have allowed **Zimmer, Nara and Sasaki** to provide a cell search

method for a CDMA which is capable of carrying out a cell search processing at a high

speed by using a previous cell search result and to provide a cell search method for

CDMA of the type described, which is capable of decreasing consumed power in the

cell search processing (**Tamura** Col 3, Lines 55-65).

Claim 17 is same as claim 4 except that it sets forth the claimed invention as a

method and is rejected for the same reasons as applied hereinabove.

With respect to claim 5, **Zimmer** teaches **"wherein said updating controller**

changes the power ON/OFF state of an information processing apparatus into off

state" as for components and devices that employ register values to define power

states, appropriate registers are updated to reflect the new power states. At the same

time, the _PPC state information is updated in the ACPI tables so that OS-controlled

devices may update their respective power states (**Zimmer** Paragraph 0059).

Zimmer teaches the elements of claim 5 but does not explicitly teaches

"changing the power state into off state when the processing apparatus was

found by last search but is not found by the present search."

However, **Nara** discloses **"changing the power state into off state when the processing apparatus was found by last search but is not found by the present search"** as it is determined in step S203 whether the "search thread" has been terminated or not. Whether the "search thread" has been terminated is determined by the state, ON or OFF, of the search termination flag disposed in the area shared by the "display thread" and the "search thread." When it is determined that the "search thread" has not yet been terminated, the processing returns to step S202, the "display thread" enters the sleep state again, and the termination of the "search thread" is awaited. When it is determined in step S203 that the "search thread" has been terminated, the device map shown in FIG. 4 is re-displayed in the CRT 116 in step S204 according to the information stored in the HD 110, shown in FIG. 6, namely, the connection information and the use-condition information newly stored of all the devices on the network (**Nara** Paragraph 0049).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Nara's** teachings would have allowed **Zimmer** to provide an information processing apparatus, a network system, and a device-map display method which correctly and efficiently provide the user with the status information of a device connected to a network to allow the user to improve work efficiency (**Nara** Paragraph 0007).

Claim 18 is same as claim 5 except that it sets forth the claimed invention as a method and is rejected for the same reasons as applied hereinabove.

With respect to claim 23, **Zimmer Nara and Sasaki** teach the element of claim 23 as noted in above claims but do not explicitly teach **"search time intervals of a second predetermined time shorter than the first predetermined time."**

However, **Tamura** teaches **"search time intervals of a second predetermined time shorter than the first predetermined time"** as a cell search method in a CDMA system comprises the steps of monitoring a communication stop time interval, of carrying out a cell search processing using a previous cell search result when the communication stop time interval is shorter than a first threshold time interval (**Tamura** Paragraph 0023).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Tamura's** teachings would have allowed **Zimmer, Nara and Sasaki** to provide a cell search method for a CDMA which is capable of carrying out a cell search processing at a high speed by using a previous cell search result and to provide a cell search method for CDMA of the type described, which is capable of decreasing consumed power in the cell search processing (**Tamura** Col 3, Lines 55-65).

Claim 24 is same as claim 23 except that it sets forth the claimed invention as a method and is rejected for the same reasons as applied hereinabove.

*** Response to Arguments ***

5.   Applicant's arguments filed on 10/14/2008 have been considered but are moot in

view of the new ground(s) of rejection.

       In these arguments applicant relies on the amended claims and not the original

ones.

       See above rejections for response to the arguments.

       Claims must be given the broadest reasonable interpretation during examination

and limitations appearing in the specification but not recited in the claim are not read

into the claim (See M.P.E.P. 2111 [R-I]).

                              Contact Information

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Usmaan Saeed whose telephone number is (571)272-4046.

The examiner can normally be reached on M-F 8-5.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

       Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private

PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Usmaan Saeed
Patent Examiner
Art Unit: 2166

Hosain Alam   US
Supervisory Patent Examiner   April 28, 2008

/Hosain T Alam/

Supervisory Patent Examiner, Art Unit 2166